

REMARKS

Claims 1-14, 19 and 29-40 were examined in the final Office Action mailed June 28, 2005. Claims 1-5, 34 and 40 are rejected over *Blackburn*. Claims 1-5, 8-14 and 19 are rejected over *Knight*. Certain claims were noted as misnumbered. The drawings were objected to for ambiguous references to reference numerals 4 and 12. Claims 36 and 37 were objected as reciting elements not shown in the drawings.

After cancellation above of claims 32, 33, 36, 37 and 39, and amendment of claims 1, 6, 8-10, 12-14, 19, 29, 30, 38 and 40, claims 1-14, 19, 29-31, 34, 35, 38 and 40 are pending. No new matter has been added.

A. Claim Objections Addressed.

Misnumbered claims 28-39 have been renumbered 29-40 above, thereby addressing the claim objection. Claim 13 has been amended to recite "member" instead of "members." Claim 19 has been amended to include "one" after "at least". Withdrawal of the claim objections is respectfully requested.

B. Drawing and Specification Objections Addressed.

The Examiner's detailed review of the claims, drawings and specification is recognized and very much appreciated. Renumbered claims 36 and 37 have been cancelled, consistent with 37 C.F.R. § 1.83(a) pursuant to which each feature of the invention specified in the claims must be shown. It is noted that the claims from which claims 36 and 37 depended are sufficiently broad to cover cue rests which having the cancelled limitations.

The specification has been amended to address the two uses of reference numeral 4. Reference is now made to "shaft axis 4" instead of "axial bore 4", consistent with the drawings. Reference is also made to "vertical median portion 12", and the reference to "12a" has been deleted. By correcting the specification as described above, the formal drawings filed April 5, 2005, are not believed to require further amendment. Thus, entry of the previously submitted formal drawings and withdrawal of the drawing and specification objections is respectfully requested.

Clarification is requested regarding the page 3, line 1 objection.

C. § 112, 1st Paragraph Rejections Addressed.

Claim 6—the rejection is respectfully traversed. Claim 6 as amended recites that the intermediate connecting member has one end which “extends from the shaft and the other extending from the table engaging member, and the respective transverse cross members are joined by a longitudinally extending median portion which extends parallel to the shaft axis but spaced apart therefrom.” FIGS. 8 and 9 show one embodiment of such a configuration.

Claim 7—the rejection is addressed by the amendment to claim 6.

Claim 8 has been amended to depend from claim 1. FIG.7 shows an embodiment of the claimed adjustable mounting.

Claim 9—the amendment to claim 6, which addresses the § 112 issues of claim 29, and thereby addresses the § 112 issues of claim 30, thereby addresses the § 112 issues of claim 9.

Claim 10—the amendment to claim 6, which addresses the § 112 issues of claim 29, and thereby addresses the § 112 issues of claim 30, thereby addresses the § 112 issues of claim 10.

Claim 12 has been amended to depend from claim 1. Multiple FIGS. show the claimed cruciform structure.

Claim 13—the rejection is addressed by the amendment to claim 12 from which claim 13 depends.

Claim 14—the rejection is address by amendment to depend from claim 1.

Claims 29-33—the rejection of these claims is addressed by the amendment to claim 6.

Claim 35—the rejection is addressed by the amendment to claim 8.

Claim 38 has been amended, deleting the phrase “or is provided with articulated joints”. The specification has been amended at page 13, line 6, to include the phrase “the intermediate connecting member is bendable.” No new matter is added thereby, as this specification amendment merely conforms the specification to the subject matter claimed originally. No conforming drawing amendment is required, as the choice of material to include bendable material is not a feature required to be shown in the figures.

Claim 39 has been cancelled, with claim 1 being sufficiently broad to cover the intermediate connecting member attachment of cancelled claim 39.

D. § 102(b) Rejection of Claims 1-5, 34 and 40 over *Blackburn* Addressed.

As discussed in a telephonic Examiner interview, claim 1 has been amended to clarify the shape of the shaft axis and the location of the obstruction avoided by the claimed cue rest. Claim 1 now recites how:

... the intermediate connecting member being offset from the central longitudinally extending shaft axis for avoiding an obstruction on the table between a location where the table engaging member is to engage the table and a location where the intermediate connecting member connects to the elongated shaft.

No new matter is added thereby. In addition, new issues are not raised requiring a new search, as the claim prior to amendment encompassed the offset shape.

This amendment patentably distinguishes claim 1 (and also dependent claims 2-5 and 34) over *Blackburn*, even assuming for purposes of argument, *Blackburn's* "arms 4" constitute an "intermediate connecting member", the arms are not "offset from the centrally longitudinally extending shaft axis" as recited in amended claim 1. Further, it is noted that the "arms 4" are not shaped for avoiding obstructions "between a location where the table engaging member is to engage the table and a location where the intermediate connecting member connects to the elongated shaft."

Independent claim 40 is similarly amended, now clarifying that an "intermediate connecting means having a curved portion offset from the central longitudinally extending axis". The obstruction location is also clarified by amendment.

Claims 1-5, 34 and 40 being patentably distinguishable over *Blackburn*, withdrawal of the 102(b) rejection of claims 1-5 over *Blackburn* is thus proper and respectfully requested.

E. § 102(b) Rejection of Claims 1-5, 8-14 and 19 over *Knight* Addressed.

The amendments to claim 1 discussed above also clarify the distinguishing features of independent claim 1 and dependent claims 2-5, 8-14 and 19 over *Knight*, inasmuch as *Knight*, like *Blackburn*, nowhere teaches or suggests a cue rest having the recited shape. While *Knight's* rod or slide

12 does connect a table engaging means with a shaft, the rod/slide 12 is not "offset from the central longitudinally extending shaft axis for avoiding an obstruction on the table between a location where the table engaging member is to engage the table and a location where the intermediate connecting member connects to the elongated shaft.

Each of claims 1-5, 8-14 and 19 being patentably distinguishable over *Knight*, withdrawal of the rejection over *Knight* is proper and respectfully requested.


F. Conclusion

Receipt of the Examiner's Interview Summary is confirmed and it is agreed that the substance of the interview involved claim 1. The proposed claim 1 amendment discussed was the above limitation in which the intermediate connecting member is "offset from the central longitudinally extending shaft axis", and tentative agreement was reached. The Examiner agreed that while an updated search would be needed as is standard, the art was sufficiently known and the previously search sufficiently broad so that the such an amendment would be considered and the rejections would be likely addressed.

The objections and rejections to claims 1-14, 19, 29-31, 34, 35, 38 and 40 having been addressed, the application is believed to be in form for allowance. The Examiner is kindly asked to contact the undersigned at the phone number listed below, should any issues remain.

Respectfully submitted,

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